

OGC 82-04360  
7 May 1982

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MEMORANDUM FOR:

THROUGH:

Chief, Legislation Division, OGC

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FROM:

Legislation Division, OGC

SUBJECT:

OMB/OPM Revisions to HPSCI Former Spouses  
Legislation

1. On 6 May 1982, I was called by Hilda Schreiber, Office of Management and Budget (OMB).

2. Ms. Schreiber had provided to the Office of Personnel Management (OPM) for comment Title VI of H.R. 6086, the title of the HPSCI version of our Fiscal Year 1983 Authorization Bill which concerns former spouses.

3. OPM indicated that it would like to see the Bill amended, in pertinent part, as follows:

On page 9 of the Bill, lines 5 - 7 should be stricken. In place thereof, the following should be inserted:

"(1) 'Agency retirement system' means -

(A) the Central Intelligence Agency Retirement and Disability System established under the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended; and,

(B) The Civil Service Retirement and Disability System established under Subchapter III of Chapter 83 of Title 5, United States Code, in the case of an employee of the Agency who retires from the Agency on an immediate annuity under such system or who is not a participant in the system described in subparagraph (A) above and who dies while employed by the Agency;

On page 9 again, lines 21 and 22 should be stricken and in lieu thereof the following should be inserted:

"(e) the Director (or in the case of an annuity under the Agency retirement and disability system described in subsection (d)(1)(B) of this section, the Director of the Office of Personnel Management) shall issue such regulations as are necessary to implement the provisions of this section."

4. OMB would like us to provide them with our position on this matter. Thereafter, depending upon our response, OPM would join us in discussing the amendments with Mike O'Neil, Chief Counsel, HPSCI.

5. What this amendment essentially would do is allow the HPSCI notion of amending both CIARDS and Civil Service stand, but would permit OPM to protect its equities in the matter by granting it the authority to issue regulations governing the operation of the Civil Service portion of the system.

6. I would appreciate your comments on the above as soon as possible.



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